

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Rostyslav Stoika, Gregory A. Horwitz, Xun Zhang and Shlomo Melmed
Serial No.: 09/687,911
Filed on: October 13, 2000
Title: MODULATING ACTIVATION OF LYMPHOCYTES AND
SCREENING POTENTIAL IMMUNOMODULATING AGENTS BY
TARGETING PITUITARY TUMOR TRANSFORMING GENE (PTTG)
EXPRESSION AND/OR FUNCTION



**TRANSMITTAL OF AND
RESPONSE TO NOTICE TO FILE MISSING PARTS OF
NONPROVISIONAL APPLICATION
FILING DATE GRANTED**

BOX MISSING PARTS
Assistant Commissioner for Patents
Washington, D. C. 20231

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO BOX MISSING PARTS, THE ASSISTANT COMMISSIONER FOR PATENTS WASHINGTON, D. C. 20231, ON <u>April 5, 2001</u>
BY <u>ANN WEISS</u>
<u>April 5, 2001</u>
Date of Signature

Dear Sir or Madam:

In response to the *Notice to File Missing Parts of Nonprovisional Application Filing Date Granted* mailed January 17, 2001, Applicants submit the following documents with a request for a one (1)-month extension of time:

1. Copy of *Notice to File Missing Parts of Application*;
2. Fully executed Declarations of inventors Rostyslav Stoika, Gregory A. Horwitz, Xun Zhang, and Shlomo Melmed;

The Commissioner is hereby authorized to charge \$812.00 under 37 C.F.R. §§ 1.16(e) and 1.17 which may be required, or to credit any overpayment, to Deposit Account No. 50-1597:

\$355.00 to cover the basic filing fee; \$297.00 for 33 claims over 20; \$40.00 for 1 independent claims over 3; \$65.00 for surcharge fee set forth in 37 C.F.R. 1.16(e); and \$55.00 for

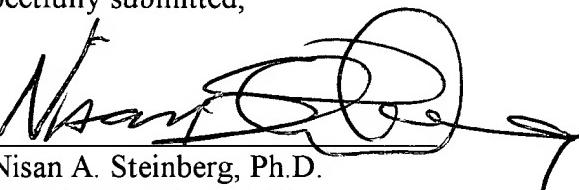
fee for Petition for Extension of Time under CFR

1.17(a)(1).

Also enclosed are:

3. Assignment with Transmittal authorizing Commissioner to charge to Deposit Account No. 50-1597 \$40.00 for recordation of assignment under C.F.R. 1.21(h).
4. Power of Attorney;
5. Certificate Under 37 C.F.R. 3.73(b) Establishing Right of Assignee to Prosecute;
6. Verified Statement (Declaration) Claiming Small Entity Status (37 CFR 1.9(f) and 1.27(d))--Nonprofit Organization; and
7. Request for Correction of Filing Receipt

Respectfully submitted,

By: 
Nisan A. Steinberg, Ph.D.
Registration No. 40,345

555 West Fifth Street
Los Angeles, California 90013-1010
Ofc: 213/ 896-6665
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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REQUEST FOR CORRECTION OF FILING RECEIPT

Assistant Commissioner for Patents
 Washington, D. C. 20231

Dear Sir or Madam:

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WASHINGTON, D. C. 20231, ON	April 5, 2001
BY	DATE
ANN WEISS	
April 5, 2001	
(DATE OF SIGNATURE)	

Applicant requests correction of Filing Receipt (Exhibit A) concerning the above-referenced application.

Please correct the title of the application as indicated on the attached Filing Receipt, *e.i.*, the word after "potential" and before "agents" should be immunomodulating"

We believe that there is no fee for the above request. However, the Commissioner is hereby authorized to credit overpayments or charge any fees required under 37 C.F.R. 1.16 or C.F.R. 1.17 to Deposit Account No. 50-1597.

Respectfully submitted,

By:

Nisan A. Steinberg, Ph.D.
 Registration No. 40,345

SIDLEY & AUSTIN
 555 West Fifth Street
 Los Angeles, California 90013-1010
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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/687,911	10/13/2000	1614	0	CEDAR-44649	14	53	4

Nisan A Steinberg
Sidley & Austin
555 West Fifth Street
Los Angeles, CA 90013-1010

FILING RECEIPT



"OC000000005883005"

Date Mailed: 01/17/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Rostyslav Stoika, Residence Not Provided;
Gregory A. Horwitz, Residence Not Provided;
Xun Zhang, Residence Not Provided;
Shlomo Melmed, Residence Not Provided;

Continuing Data as Claimed by Applicant

THIS APPLICATION IS A CIP OF 09/569,956 05/12/2000
WHICH IS A CIP OF 08/894,251 07/23/1999
WHICH IS A 371 OF PCT/US97/21463 11/21/1997
AND CLAIMS BENEFIT OF 60/031,338 11/21/1996

Foreign Applications

If Required, Foreign Filing License Granted 01/16/2001

Title

IMMUNOMODULATING
Modulating activation of lymphocytes and screening potential immunomodulating agents by targeting pituitary tumor transforming gene (PTTG) expression and/or function

Preliminary Class

514

Data entry by : WYATT, DEBRA

Team : OIPE

Date: 01/17/2001





**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 36 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

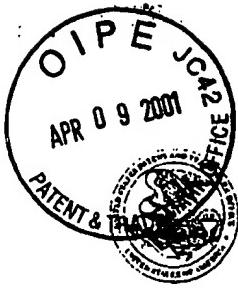
No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15 (b).

PLEASE NOTE the following information about the Filing Receipt:

- The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- The words "new," "improved," "improvements in" or "relating to" are not included as first words in the title of an application because a patent application, by nature, is a new idea or improvement.
- The title may be truncated if it consists of more than 600 characters (letters and spaces combined).
- The docket number allows a maximum of 25 characters.
- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."
- The title is recorded in sentence case.

Any corrections that may need to be done to your Filing Receipt should be directed to:

Assistant Commissioner for Patents
Office of Initial Patent Examination
Customer Service Center
Washington, DC 20231



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/687,911	10/13/2000	Rostyslav Stoika	CEDAR-44649

**Nisan A Steinberg
Sidlely & Austin
555 West Fifth Street
Los Angeles, CA 90013-1010**

FORMALITIES LETTER



"OC000000005683005"

Date Mailed: 01/17/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
 - Total additional claim fee(s) for this application is \$674.
 - \$594 for 33 total claims over 20.
 - \$80 for 1 independent claims over 3 .
 - The oath or declaration is unsigned.
 - To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
 - **The balance due by applicant is \$ 1514.**

A copy of this notice MUST be returned with the reply

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

file:///C:/APPS/preexam/ correspondence\2_B.xml

1/16/01